

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APPA) NO. 417 OF 2021
IN
CRIMINAL APPEAL NO. OF 2021

Duru Soma Katlami

Vs.

The State of Maharashtra, Through P.S.O. Jarawandi, Tah. Etapalli, Dist. Gadchiroli

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri R.D. Hajare, Advocate (appointed) for the applicant.
Shri V.A. Thakare, A.P.P. for the non-applicant/State.

CORAM : V.M. DESHPANDE AND AMIT B. BORKAR, JJ.
DATE : 12th AUGUST, 2021.

1. This is an application for condonation of delay in filing the appeal challenging the judgment and order of conviction passed by the learned Additional Sessions Judge, Gadchiroli in Sessions Case No.118 of 2018, whereby applicant is convicted for an offence punishable under Section 302 of the Indian Penal Code, 1860 and was directed to suffer life imprisonment.

2. Heard Shri R.D. Hajare, learned counsel appointed by the High Court Legal Services Sub-Committee, Nagpur for the applicant.

3. Though this application is coming for the first time, in our view, it can be decided on first day itself.

4. The State is represented by Shri V.A. Thakare, learned Additional Public Prosecutor. He has raised a formal

opposition to the application.

5. The applicant is in jail and the reason for not filing the appeal is poverty, this Court is of the view, the poverty can never be an impediment for seeking justice from the Court.

6. In that view of the matter, we allow this application. The delay stands condoned. Office is directed to register the appeal.

7. Shri R.D. Hajare, learned counsel for the applicant appointed by the High Court Legal Services Sub-Committee, Nagpur, is entitled for professional charges for drafting and arguing the application for condonation of delay. The High Court Legal Services Sub-Committee, Nagpur is directed to pay his fees as permissible to him.

8. The Criminal Application is disposed of as withdrawn.

CRIMINAL APPEAL NO. _____ OF 2021

Heard.

Admit.

Shri V.A. Thakare, learned Additional Public Prosecutor waives service for the respondent.

JUDGE

JUDGE